



Promising Harvest

The fruits of environmental law reform
in South Eastern Europe



REC



REReP

ELAN





Project objectives

Since 2001 the REC has implemented a European Commission assistance project that is funded through the Community Assistance for Reconstruction, Development and Stabilisation (CARDS) programme to help the countries of South Eastern Europe to re-establish and develop their environmental legal systems in accordance with EU norms and standards.

The regional CARDS project Assistance in Environmental Law Drafting in South Eastern Europe (REReP 1.3) enhances regional cooperation as a key element in approximation to EU environmental legislation within the Stabilisation and Association process (SAP), while also providing targeted assistance at the country/entity level. Its main objectives are:

- to promote the development of comprehensive legislative frameworks in compliance with the EU environmental acquis, by applying a regional strategic approach that encourages dialogue and cooperation, the sharing of outputs and solutions, and joint implementation of activities;
- to enhance and augment the capacities of the beneficiary ministries by providing direct assistance in selected, discrete environmental law drafting activities; and
- to maintain and keep up-to-date a comprehensive, detailed, publicly accessible database of relevant environmental legislative drafting projects (the “Matrix”) on the basis of substantive, regionally-based knowledge.

The beneficiaries of the project are the ministries responsible for environmental law drafting in Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, and Serbia and Montenegro, including Kosovo (territory under interim UN administration).



Types of activities

- Regional topic-oriented workshops;
- Study visits;
- Environmental Law Approximation Network (ELAN) meetings;
- Country/entity-specific, request-driven assistance;
- Information tools such as the Matrix as planning tools for project activities, as well as reports, brochures, and a continuously updated website.



Highlights: Main achievements and outputs

ELAN

The Environmental Law Assistance Network is a forum for exchange of regional expertise, good practices, and updates on legal developments in the countries of the region. It also functions as a platform for discussions on the development of a strategic approach to environmental law approximation in SEE.

Publications

The project's outputs include two major publications: *Progress in Environmental Law Drafting in South Eastern Europe* (2005) and *Assessing Environmental Law Drafting Needs in South Eastern Europe* (2003).

About the book

Progress in Environmental Law Drafting in South Eastern Europe:

"This study is . . . not only based on rigorous scholarship, but it has a practical aim and result. It helps identify specific problems and potential solutions."

Professor Alexandre Kiss, President of the European Council on Environmental Law

Professor Dinah Shelton, George Washington University Law School

Database

The web-based Matrix of Country-Based Legal Drafting Projects is updated routinely. It functions as a major tool for planning and maximising the impact of assistance efforts in the region. www.rec.org/REC/Databases/REReP/Default.html

Regional workshops

Regional workshops and conferences to facilitate ongoing cooperation on specific topics between ELAN members, other key line personnel engaged in law drafting, and experts from member states, accession countries and South Eastern Europe have included:

- Workshop on Approximation with the EU Waste Legislation in South Eastern Europe, June 13-15, 2005, in Cetinje, Republic of Montenegro, Serbia and Montenegro;
- Workshop on the Approximation of the Water Framework Directive in South Eastern Europe, October 25-27, 2004, in Budapest, Hungary;
- Workshop on the Approximation of IPPC Directive in SEE Countries, April 15-17, 2004, in Pula, Croatia;
- Workshop on Drafting EIA Legislation in South Eastern Europe in Compliance with EU Requirements, July 10-12, 2003, at Ohrid Lake, former Yugoslav Republic of Macedonia; and
- Conference on Strategy towards EU Environmental Law Approximation in SEE Region, April 3-4, 2003, in Dubrovnik, Croatia.

Study visits

Targeted study visits to share experience from EU member states on concrete environmental law related topics have included:

- Study Visit to the European Chemicals Bureau (Italy), December 12-13, 2005;
- Study Visit on Approximation of the Nature Protection Acquis (Poland), November 28 – December 1, 2005;
- Study Visit on Hazardous Waste Legislation and Management (Ireland), November 21-26, 2005; and
- Study visit to the National Chemical Bureau of Slovenia, January 24-28, 2005.

Country/entity legal assistance

The project supported ministries in the drafting of 19 pieces of legislation in conformity with the EU environmental acquis. A prime example is the recent assistance in the drafting of new chemicals legislation to support approximation in a complex and critically important sector for Albania, the former Yugoslav Republic of Macedonia, the Republic of Serbia, and the Republic of Montenegro.

Selected in-country workshops

- Workshop on Approximation of the Nature Protection Acquis in Bosnia and Herzegovina, Sarajevo, December 20, 2005;
- Workshop on the Globally Harmonised System of Classification and Labelling (GHS), Belgrade, Serbia and Montenegro, November 22-24, 2005;
- Workshop on Approximation of the Environmental Liability Directive, Zagreb, Croatia, November 21, 2005; and
- Workshops on EU chemicals legislation in Albania, the former Yugoslav Republic of Macedonia, the Republic of Serbia and the Republic of Montenegro.

For more information, including activity reports and presentations, please visit:
www.rec.org/REC/Programs/REREP/LawDrafting/Activities.html



The way forward

SEE countries have made significant progress in recent years in complying with the requirements and obligations of the SAp, mainly as a result of targeted assistance in specific priority areas of law drafting.



The REC's efforts to assist environmental law reform in SEE contribute significantly to the progress made in environmental law drafting in SEE, improving regional cooperation and relations between countries, building bridges of friendship, and promoting understanding.

However, this is only the beginning of a long process that continues with refocused efforts on filling gaps and drafting subsidiary legislation to support effective implementation. Commissioner for Enlargement Olli Rehn recently said that the European Union is "a community of law and a community of values" that offers to the countries of the Western Balkans benefits "in terms of better protection of citizens' rights, better economic prospects and living standards, and better neighbourly relations." The benefits for citizens promised by the EU cannot be realised without successful reform of environmental legislation.



THE REGIONAL ENVIRONMENTAL CENTER FOR CENTRAL AND EASTERN EUROPE (REC) is a non-partisan, non-advocacy, not-for-profit international organisation with a mission to assist in solving environmental problems in Central and Eastern Europe (CEE). The center fulfils this mission by promoting cooperation among non-governmental organisations, governments, businesses and other environmental stakeholders, and by supporting the free exchange of information and public participation in environmental decision making.

Visit www.rec.org for more information.



The **Environmental Law Programme** of the REC is dedicated to the progressive development of environmental law and governance, both internationally and within each country of Central and Eastern Europe, through support to the development of multilateral environmental agreements, state-of-the-art legislation, conflict-reduction tools, citizens' environmental rights and legal professionalism.

Visit www.rec.org/REC/Programs/EnvironmentalLaw for more information.



THE REGIONAL ENVIRONMENTAL CENTER FOR CENTRAL AND EASTERN EUROPE

Ady Endre ut 9-11 ■ 2000 Szentendre ■ Hungary
 Tel: (36-26) 504-000 ■ Fax: (36-26) 311-294 ■ Website: www.rec.org
 Contact Person: Tsvetelina Borissova Filipova ■ Tel: (36-26) 504-095 ■ E-mail: filipova@rec.org